



## City of Tigard Tigard Business Meeting – Minutes

### TIGARD CITY COUNCIL AND LOCAL CONTRACT REVIEW BOARD

**MEETING DATE AND  
TIME:**

March 8, 2011 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

**MEETING LOCATION:**

City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR  
97223

- **STUDY SESSION**

Councilor Buehner called the meeting to order at 6:30 p.m.

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen		✓
Council President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

Staff present: City Manager Prosser, Assistant City Manager Newton, City Recorder Wheatley Assistant Community Development Director Hartnett, City Attorney Ramis, Finance Confidential Executive Assistant Lutz,

**A. Review Resolution 08-47 that Establishes a Process to Form Ad-Hoc, Limited-Duration Citizen Advisory Committees**

Associate Planner Caines reviewed this agenda item. Resolution No. 08-47, which amended the process to form and appoint limited-duration, ad-hoc citizen advisory committees (CAC), called for a review and evaluation of the revised process. She reviewed the experience of the new, two-step process that has been used since 2008. Staff members advise the process is working well except for one issue. Staff recommends that a one-step process be available when a citizen advisory committee can be formed from the membership of a long-standing committee (i.e., Planning Commission or Transportation Advisory Committee).

Discussion followed on the process, with clarification by staff regarding how Committee members are recruited and selected. Councilor Wilson suggested that sometimes it might be better to have a random selection of citizens to serve on a committee rather than make up the members of individuals representing certain interest groups. During discussion, Assistant Community Development Director Hartnett noted that some committees' have requirements for membership from certain fields. At other times, effort is made to bring polarizing interests to the table so that as the matter moves forward and eventually comes to the City Council, the Council knows that those interests have been heard. Councilor Wilson agreed there are times when soliciting membership from interest groups is appropriate.

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The nature of citizen advisory committees was discussed and how they have been formed and utilized in recent history. At times an existing standing committee is asked to serve as the short-term citizen advisory committee on a particular project.

Council President Buehner commented that the new process appears to be working. Councilor Wilson said he agrees, except for those instances where special interest group representation is not needed. In response to Councilor Woodard, Councilor Wilson said there have been occasional issues with individuals who were disruptive; therefore, it is important to vet membership carefully. He added that training and familiarizing the membership with the city's code of conduct is also helpful. Assistant Community Development Director Hartnett shared that sometimes the city receives more applications than there are vacancies for standing committees. Staff will look at these applications for the short-term committees because these individuals have shown interest in volunteering.

Staff will bring forward a proposed resolution for Council consideration at a future business meeting.

#### B. Review of 2012 Community Event Funding Requests

City Council reviewed the list of community event funding requests and determined its recommendation that will go forward to the Budget Committee. Finance Confidential Executive Assistant Lutz reviewed this agenda item with the City Council.

Finance Confidential Executive Assistant Lutz advised that the Chamber of Commerce's Tigard Area Visitor Center requested \$13,000 under the social services grant applications. This is characterized more as a community event, so City Manager Prosser suggested the application be moved to the community event grant process. One application received for an event grant was moved to social services subcommittee review (Compassion Tigard Clinic).

Councilor Henderson did not participate in this discussion as he is affiliated with one of the applicants, the Tigard Area Farmer's Market.

City Manager Prosser referred to past practice of allocating .5 percent of the General Fund for community event funding. This year, the total requests of the requests received is \$4,000 more than what is available. This .5 percent allocation can be adjusted if the City Council so determines.

City Council and staff reviewed the applications received with Council consensus to recommend to the Budget Committee funding in the amounts as noted below:

	Amt. recommended by City Council
Broadway Rose Theatre \$10,000 Funding by agreement with the City of Tigard (Resolution)	\$10,000
Festival of Balloons \$10,000 funding by agreement with the City of Tigard (Resolution) \$65,000 in kind	\$19,000
Tigard 4 <sup>th</sup> of July \$7,500 funding by agreement with the City of Tigard (Resolution)	\$13,000

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Atfalati Recreation District – Southside Little League	\$2,919
City of Tigard Dog Park	400
Tigard Area Farmer’s Market	8,500
Tigard Chamber Visitor Center	12,000
Tigard High Graduation Party	2,000
Tigard Historical Association	1,500
Tigard Safety Town	4,000
Tualatin Riverkeepers	3,000
Tualatin Valley Community Band	2,000

C. Administrative Items – City Manager Prosser and City Council reviewed the following.

- Council Calendar
  - 3/15/2011 - Council Workshop Meeting CANCELLED!
  - 3/22/2011 - Council Business Meeting
  - 3/29/2011 - Council to Meet with Tualatin Valley Fire and Rescue Board (dinner at 5:30 p.m.); meeting at 6 p.m., at TVF&R new headquarters, 11945 SW 70th Avenue, Tigard. TVF&R will prepare the agenda and requested Tigard Council suggestions for agenda items.
  - 4/7/2011 - Pacific Highway/Hall/Greenburg/Main Completion Celebration - Liberty Park, 3:30 p.m.
  - 4/7/2011 - Meet the City Council - Tigard Chamber of Commerce, 1234 SW Main Street, 6-7 p.m.
- Youth Advisory Council Presentation – City Recorder Wheatley advised the students are present to give a report to the City Council during the business meeting. Several of them also are performing in a concert this evening. Council President Buehner and Council members conferred briefly and determined the Youth Advisory Council presentation would occur immediately after the Flag Salute so the students can leave for their concert.
- City Manager Prosser advised that the Executive Staff has discussed the City Council goals for this calendar year. The staff’s recommended work plan on the 2011 City Council goals was distributed. Staff members who have goals would like to come to the City Council to give an update on goal progress at a workshop meeting to bring some things to the City Council’s attention for the goal(s) their department is working on and to have an exchange with the City Council on the timeline and activities planned.

- EXECUTIVE SESSION: Not held.

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## 1. BUSINESS MEETING

A. Call to Order: Council President Buehner called the Tigard City Council and Local Contract Review Board meeting to order at 7:31 p.m.

### B. Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen		✓
Councilor President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

### C. Pledge of Allegiance

Agenda Item No. 5 was heard out of order at this time by the City Council:

#### UPDATE OF TIGARD YOUTH ADVISORY COUNCIL ACTIVITIES:

Present from the Tigard Youth Advisory Council (TYAC): Allison Burke, President; Narin Luangrath, Vice President, Nellie Johnson, Secretary.

Ms. Burke and Mr. Luangrath presented their report, which is highlighted in their PowerPoint presentation on file with the packet information.

The TYAC worked on the following events last year:

- Adopt a Family – Thanksgiving
- Christmas for Kids
- Adopt a Family – Christmas
- Family Movie Night

The TYAC's goals for the coming year include:

- Recruit members
- Become more involved in the community by attending City Council meetings and plan more family events
- Volunteer in the community

Future TYAC activities include:

- Volunteer Day – Oregon Humane Society
- Park Cleanup
- Adopt-A-Road
- Good Neighbor Center Dinner
- Bike Safety Fair

### D. Council Communications & Liaison Reports: None

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E. Call to Council and Staff for Non-Agenda Items: None

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication: None

B. Tigard High School Student Envoy Tracie Tran updated the City Council on activities at Tigard High School. A copy of her report is on file with the meeting materials.

C. Tigard Area Chamber of Commerce Executive Director Debi Mollahan updated the City Council on activities at the Chamber. A copy of her report is on file with the meeting materials.

D. Citizen Communication – Sign Up Sheet: None

Council President Buehner reviewed the Consent Agenda items listed:

3. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board)

A. Approve City Council Meeting Minutes

1. January 18, 2011
2. February 8, 2011

B. Receive and File:

1. Council Calendar
2. Council Tentative Agenda for Future Meeting Topics

C. Local Contract Review Board – both as LCRB and as City Council

1. Award Contract for City Attorney Services to Jordan, Schrader, Ramis PC
2. Award Contract for Franchise Attorney Services to Beery Elsner & Hammond LLP
3. Award Contract for Prosecutorial Services to Larry J. Blake, Jr.
4. Award Contract for Labor Attorney and Employment Law Services to Bullard, Smith, Jernstedt & Wilson
5. Award Contract for Real Estate Legal Services to Jordan, Schrader, Ramis PC

Motion by Councilor Wilson, seconded by Councilor Henderson, to approve the Consent Agenda.

The motion passed by a unanimous vote of City Council present:

	Yes	No	Absent
Mayor Dirksen			
Council President Wilson	✓		
Councilor Buehner	✓		
Councilor Henderson	✓		
Councilor Woodard	✓		

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4. ~~LOCAL CONTRACT REVIEW BOARD: AWARD PURCHASE AGREEMENT FOR REPLACEMENT OF THE IN-CAR VIDEO SYSTEM FOR PATROL VEHICLES TO CDW/PANASONIC~~

This item was rescheduled to the April 12, 2011 Tigard City Council Business Meeting.

5. UPDATE OF TIGARD YOUTH ADVISORY COUNCIL ACTIVITIES (see above; this item was heard out of order)

6. QUASI-JUDICIAL PUBLIC HEARING TO CONSIDER VACATION OF RIGHT OF WAY ON BURNHAM STREET ADJACENT TO MASTSUMOTO PROPERTY - VACATION (VAC) 2010-00001

The following is the notice of the hearing:

*The Tigard City Council will hold a public hearing on Tuesday, March 8, 2011, at 7:30 PM at the Tigard City Hall, Town Hall Room, 13125 SW Hall Boulevard, Tigard, Oregon 97223 to consider the proposed vacation of approximately 114 square feet of unimproved public right-of-way adjacent to the Matsumoto property located at 8770 SW Burnham Street. A portion of the Burnham Street right-of-way has been realigned to accommodate the construction of street improvements and as a result, is no longer in an area that will be improved and is proposed to be vacated.*

*This vacation was initiated by the City Council on January 25, 2011. Any interested person may appear and be heard for or against the proposed vacation of said Burnham Street Public Right-of-Way Vacation. Any written objections or remonstrances shall be filed with the City Recorder by 7:30 PM on March 8, 2011.*

- a. Open Public Hearing – Council President Buehner opened the public hearing.
- b. Statement by City Attorney Regarding Procedure – City Attorney Ramis reviewed the hearing procedures.
- c. Declarations or Challenges      The following questions were asked of City Council:
  - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits? None reported.
  - Have all members familiarized themselves with the application? Yes; all indicated they were familiar with the application.
  - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council? There were no challenges.
- d. Staff Report: Community Development Staff  
  
Associate Planner Caines presented the staff report; the agenda item summary is on file with the meeting material.
- e. Public Testimony

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There was no public testimony.

- f. Staff Recommendation – Associate Planner Caines advised staff recommends that the City Council approve the vacation of the right of way.
- g. Close Public Hearing -- Council President Buehner closed the public hearing.
- h. Council Discussion and Consideration: Ordinance No. 11-01

Councilor Wilson noted this area was quite small and referred to the City's cost to process this right-of-way vacation and asked if the property owners have a use for this property. Associate Planner Caines said the property owners are using this area for landscaping. Engineering Manager McMillan reported that this vacation of 114 square feet is insignificant as far as value and use; however, during the process of acquiring right of way and easements, this was part of the negotiations. The property owners' access was impacted with the Burnham Street project making their driveway a right-in/right-out only. They also are sharing a driveway now with the Frontier business. This vacation was one of the items requested by the property owners along with some action on another parcel of property that will be before the City Council later.

Motion by Councilor Wilson, seconded by Councilor Henderson, to approved Ordinance No. 11-01.

ORDINANCE NO. 11-01 - AN ORDINANCE VACATING APPROXIMATELY 114 SQUARE FEET OF PUBLIC RIGHT OF WAY ALONG SW BURNHAM STREET IN THE CITY OF TIGARD, WASHINGTON COUNTY, OREGON (VAC2010-00001)

	Yes	No	Absent
Mayor Dirksen			
Council President Wilson	✓		
Councilor Buehner	✓		
Councilor Henderson	✓		
Councilor Woodard	✓		

## 7. STATUS REPORT ON PROGRESS OF GREENWAY TRAIL SYSTEM MASTER PLAN

Trail System Master Plan Citizen Advisory Committee Members present: Scott Bernhard, DC, John Buscek, Dave Lienberger, Eric Lindstrom, and Paul Whitney.

Project Planner Roberts presented the staff report. The development of the City's first-ever Greenway Trail System Master Plan (GTSMMP) has been underway since July 2010 and is scheduled to wrap up in April 2011. Financed by an Oregon Department of Transportation (ODOT) grant, this project includes a combined citizen and technical committee who have been working with a three-firm consultant team (Kittelson & Associates, Alta Planning + Design, and Mason, Bruce & Girard) gathering information and conducting research to guide the new master plan.

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Tonight, members of the Trail System Master Plan Citizen Advisory Committee shared their views and impressions with Council on development of the Trail System Master Plan, and answered questions from the City Council. On April 19, 2011 the project's consultant team will give a more technical presentation to Council.

CAC member Eric Lindstrom advised the development of the Plan was well organized, managed and attended. The consultant did a good job. The consultant was able to assemble well-constructed, reliable information to help assess most effective and desirable routes. The trails offer all kinds of benefits, not just for transportation. Besides connectivity, these trails represent an educational opportunity and a way for citizenry to connect more deeply with their environment. When a community relates in a positive manner to the environment, there is less need for the recourse of law and more positive participation for making land use decisions. Mr. Lindstrom said the educational benefit was subtle. He suggested the Planning staff be asked to come up with more ways to manage the connection of citizens with these trails. He referred to the presentation earlier in the evening by the Youth Advisory Council members, and it came to him that these trails are being planned for them, the youth. He suggested that a focus group be formed with high school students to determine what might help them connect more regularly with use of these trails.

CAC member Dave Leinberger said he has lived in Tigard for 18 years. He previously lived by the High School and enjoyed Cook Park. He now lives near Genesis Loop and enjoys the trails there. He noted that the City needs connectivity with the trails throughout the community to access the parks. Mr. Leinberger noted he now has to drive to the parks but he would like to be able to access them through a trail system. He rides WES to his workplace in Wilsonville and noted it is treacherous to ride his bike to catch the WES because the trails are not lit. Connecting the trails to the WES would be an advantage. He acknowledged there are bike lanes on streets, but noted his preference to ride a bicycle on a trail away from motor vehicles.

CAC member Scott Bernhard noted he has served on the Tigard Parks and Recreation Board for the last eight years. He referred to the PRAB's focus over the last number of years on acquiring land to add to the park system. An evaluation process was developed and one of the criteria was to identify how a parcel of land connected to the existing trail system. The mandate to have a greenway trail system goes way back in the City's history and referenced documents calling for a trail system in the early 1970's forward. Many things have come to fruition. He noted there has been a consistent call from the citizens for connectivity of a trail system. There are a lot of loops that need to be achieved. Some of the recent professional assistance has provided multiple options for closing some of the loops to further trail system connectivity. There are challenges ahead but, he said, the longer he has been involved in planning for parks and trails, he has learned that not only are they aesthetically valuable, they are important for transportation and to get the public out to feel, see and touch what we have before us. Mr. Bernhard asked for the continued support of the City Council.

CAC member John Buscek referred to the lack of connectivity between parks in the community. He spoke in support of the work underway to develop a plan for a greenway trail system master plan.

CAC member Paul Whitney advised he lives on Bull Mountain. He referred to the Aspen Ridge development and at the time this was built he had advocated connectivity through sidewalks and trails, but

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felt he did not make much headway. He supports the work being done now for a greenway trail system master plan. He said he sees there is a priority to connect the Library, Cook Park and Tualatin because of all the activities that occur at these locations. He spoke to connections to the Fanno Creek Trail. Mr. Whitney also noted the need to protect wetlands and provide additional signage to mark the trails. He said there is an issue to be resolved regarding a trail through the City of Durham.

Councilor Wilson asked Mr. Whitney to identify the trail connection at the City of Durham, which loops from Durham Park to the Clean Water Services property. Mr. Whitney said CWS does not want a trail on their property. The proposed trail would cross Fanno Creek three times. Mr. Whitney spoke about three property owners that should be approached about right of way or purchase of property for a trail.

Councilor Wilson commented that Summerlake Park shows a connection to the west, which would be easy to do since the City owns that property. The trail ends at Barrows Road (Beaverton/Tualatin Hills Park and Recreation District) where Summercreek meanders through a densely populated area. This trail could also form a link to the power line trail at a relatively flat grade. He wondered if there has been coordination with the Tualatin Hills Park and Recreation District and if there are trails planned in that area. Mr. Bernard responded that part of the connectivity in the Tigard Master Plan is to connect to regional trails outside of our district. The most focus has been on the inter-connection with the City, but he agreed that trails should be connected to jurisdictions such as Metro, TTNLP, Westside trails, etc. Councilor Wilson said there is a temporary bridge at Barrows Road, which will eventually go away. Barrows might be a good link to the power line trail eventually. Project Planner Roberts said the power line trail was identified in the THPRD bond measure that passed a couple of years ago. There are firm plans to infill gaps in the THPRD portion of the power line trail in two years, which will include extending the existing power line trail across the “football” between Beaverton and Tigard and connecting at the City limits at Barrows Road. The trail would continue to the Nature Center, a distance of six miles from the City limits. This will be a great recreational opportunity for Tigard residents.

Project Planner Roberts said there is a \$300,000 Master Plan Study that will commence soon that will include looking at linkages to local trail systems and neighborhoods. The City of Tigard will have a seat at the table and the hope is that this will lead to future projects that will result in Tigard building part of our trail.

Councilor Woodard agreed with Mr. Lindstrom’s comments about the importance of the trails, connectivity, and planning for the future (the kids today). Councilor Woodard said he attended an Economic Development Planning meeting last week where the discussion was on the planning efforts for those of all ages. The parents today represent the youth and added that we are all “kids at heart” as we enjoy nature, exercise and walking the trails. He said he appreciates the connectivity of the pathways. At the same time, he cautioned that he must look at how this will look in the future and has questions/concerns.

Councilor Woodard referred to the earlier comment about lighting and security. He said he lived in California and shared that there was a trail (bikeway) system along the American River in Sacramento. On this trail there were solar-powered 911 emergency telephones. He personally was able to get medical help to

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an injured biker because of the availability of these telephones. He noted he likes being able to utilize solar-power and “green” applications for lighting and security. He acknowledged that everything hinges on funding/costs. Mr. Leinberger said security has come up in discussions. In the complete report from the consultants, there are references to signage that would help people know where the next trail segment is located, identification of parking for trail access, and lighting, etc. Other comments from individuals included the need for bathrooms and places to get a drink of water along the trails. Councilor Woodard urged that discussions continue on these types of things for later consideration.

Councilor Henderson commented on the trail connectivity, noting that some sections are more difficult than others. He said it appears to him that it would be the will of the people that this would happen. He asked if there were other groups that are looking at trails now; i.e., schools. He wants to make sure that all interested people are being utilized. Project Manager Roberts said there is a volunteer coordinator in the Public Works Department who does planning along trails and natural area restoration. Recently the Woodard Park to Grant Avenue segment was the subject of a presentation in Salem where Tigard staff sought grant funding. The project will include restoring this section of the trail, which has degraded since it has been used for industrial, storage and parking. The path contains a lot of non-native vegetation. As part of the Woodard Park/Grant Avenue project, the City will perform a lot of restoration along the creek and within the natural area. The City is also seeking to buy property downstream that will be a large restoration project.

To further follow up on Councilor Henderson’s comment, Mr. Lindstrom said the City is probably utilizing its resources well; however, they can always be utilized more. He said we need to be very creating to find funding and to accomplish the work, which begins with planning. He suggested another look should be taken to determine if there is a way to get deeper participation from groups that are already supporting; i.e., Trees for All. There is a strong core of volunteers that might be expanded and organized to focus on connectivity. He said he believes Tigard is in an enviable position and can complete its connectedness as far as the overall Fanno Creek Trail before anyone else. He noted the consultant report shows two options for the trail – one option would be quicker, but not necessarily the best option. It might be worth pursuing this option to get the initial connectivity and then gather data and look for additional grants. There are a lot of opportunities, both politically and from the standpoint of personnel.

Mr. Bernhard said the more the trails are used, the more demographics will begin to generate. Initially, there might be a soft trail, but if traffic warrants, it will progress to a different type of trail structure. He said environmental concerns might impact where we think where a trail should be located. He said you have to start somewhere and once a connectivity plan is in place, we can build by including special interest groups who begin to use the trails. As time goes on, we will be able to determine how we need to change – we’ll learn as we go.

Mr. Whitney also responded to Councilor Henderson’s comment about involving more of the community and said the idea of trail connectivity has been around for a long time in the Portland area. He referred to other trails in the region.

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Discussion followed on the number of other trail projects throughout the region. The City of Portland has done a lot of work to develop trails and we can learn from them by studying their master plans that have been in place for some time now.

Councilor Henderson said as the price of fuel continues to go up, he believes there will be more people in the workforce who will want to find other means of transportation. Mr. Whitney said there are incentives such as grants available for trails that qualify as a means of transportation.

Council President Buehner referenced the recent successful parks bond measure and the acquisition of property next to Fowler Middle School. She said it seems that the voters are interested in developing connectivity throughout the community. Mr. Bernard said there is a loop to the Fowler property that is shown as one of the options. Feasibility of the routes has been studied. There are many different types of trails within the Fowler woods, which are soft trails because of the environmental sensitivity. The study will lead us towards a potential connection with Summerlake. A lot of planning must occur to provide a trail system for the long run.

Mr. Lindstrom said the Fowler property is unique, with seven eco-systems and an adjacent creek that occasionally has otter. Some might want fewer trails in the area; however, there are work-arounds to those kinds of problems. Education is needed and finding ways to leverage enough benefit out of the access to offset any damage. Soft trails are good, but they are not well defined. A well-defined trail will automatically take some of the people out of the woods because they will stay on the trail. He acknowledged it is about achieving a balance for these prime areas.

Mr. Bernard said that as time goes on, the plan will be altered. Many things will be achieved through trial and error. He said the Summerlake Trail will present a lot of challenges but, in time, it can be accomplished.

Council President Buehner noted a shortage of trails on the area of Bull Mountain where she lives. She said there is a Metro property on Fern Street. There is a partial trail that goes halfway up the hill. It would be great to have soft trails in the area and the greenways might be considered for hiking trails. Mr. Lindstrom responded there are safety issues to be considered for this area because of the ground instability.

Mr. Whitney said he lives on another area of Bull Mountain where there are no parks or trails. He urged that these resources be looked at as a whole.

In response to Councilor Wilson, Project Planner Roberts said on April 19 the consultant team will make a presentation to the City Council and Planning Commission and ask for the Council's and Commission's ideas/opinions on a proposed project list that will include work scope and rough cost estimates.

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8. COUNCIL LIAISON REPORTS
9. NON AGENDA ITEMS
10. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
11. ADJOURNMENT – 8:53 p.m.

Motion by Councilor Woodard, seconded by Councilor Wilson, to adjourn.

The motion passed by a unanimous vote of City Council present:

	Yes	No	Absent
Mayor Dirksen			
Council President Wilson	✓		
Councilor Buehner	✓		
Councilor Henderson	✓		
Councilor Woodard	✓		

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Catherine Wheatley, City Recorder

Attest:

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Mayor, City of Tigard

Date: \_\_\_\_\_

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